

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
JUNE 6, 2006
7:00 P.M.**

1. The meeting was called to order at 7:00 p.m. Declaration of a quorum present was given. The Flag salute was lead by Chief Carter and the Invocation was given by Ms. Carolyn Terry.

ROLL CALL

PRESENT

Mayor Marietta Tardibono
Vice-Mayor Jeff Martinez
Councilman Jimmy Alexander
Councilman Walter Johnson
Councilman Mike Gossman
Councilman Rodney Nelson
Councilman Stan Street
Councilwoman Nancy Olson

ABSENT

Councilman Stewart Shapiro

STAFF PRESENT

Pam Ramirez, City Clerk
Bob Jernigan, City Attorney
Roger Patty, Police Chief
Rob Carter, Fire Chief
Mike Turman, City Inspector
Scott Barrett, City Engineer
Wiley Rice, Jr., City Planner

2. Presentation of Badges to Firefighter Kyle Schroeder.

Chief Carter and the Mayor presented Firefighter Kyle Schroeder with his Fire Badges.
3. Presentation of donation from Monroe Elementary to Officer Schatzer and Officer Lerry.

The Mayor stated that Officer Schatzer was at school and unable to attend so this item will be on the next agenda.
4. Questions and Comments from Warr Acres Residents.

The Mayor told everyone to check their next newsletter that it will have interviews with Leo Mayfield and Margo Rost. She thanked the Sunday school from Church of the Savior for planting flowers at the building at 42nd and MacArthur.

Bob Wehba said that he had an idea for cutting the city's budget and he never thought he would hear himself say it but the city should look into outsourcing the Sanitation service, before they raise the rates for less service. He said the employees in the Sanitation department currently could be used in other departments that really need the help. He said that he thought it could save the city a great deal of money.

5. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #6.

A. Approval of the minutes from the Regular Meetings of May 2, 2006. ****

B. Approval of Expenditures –	General Fund	\$ 56,707.20
	CIP Fund	\$ 12,419.58
	Sewer Line Maint.	\$ 992.25

C. Approval of Proposed Expenditures for May 2006. ****

D. Sales Tax History Report. ****

E. Receive minutes from the Traffic Commission Regular meeting of May 18, 2006. ****

F. Approval to surplus items per attached list. ****

G. Approval to send Kenny Koger to Florida to receive training and take delivery of a new Thermal Imager received by a grant.

H. Approval to use OMAG escrow from FY 2002-2003 in the amount of \$61,402.33 towards the FY 2006-2007 Workers Compensation Bill.

Councilman Nelson asked to pull items B & G.

Motion by Nelson, second by Johnson to approve items A, C, D, E, F and H of the consent docket. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

6. Discussion and possible action on items removed from the consent docket.

Councilman Nelson stated that he pulled the claims list for the same reason he always does and that is due to the claim by Jessie Simmons. He said that the city

is cutting the budget for FY 06-07 and thinks that cutting this position they could save \$12,000-\$14,000 a year.

Motion by Nelson, second by Johnson to approve A except the ones for Jessie Simmons. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, nay; Martinez, nay; Street, nay; Olson, nay; and Tardibono, nay.

Motion Fails.

Motion by Martinez, second by Gossman to approve item A. Poll vote: Alexander, yea; Johnson, nay; Nelson, nay; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed.

Councilman Nelson wanted to confirm that the trip and the Thermal Imager were all done through grants. Chief Carter stated this was true and that Kenny would leave the evening before, attend the class the next morning and return that evening with the Imager.

Motion by Nelson, second by Martinez to approve item G. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

7. Receive reports from Staff: Police, Fire, City Clerk, City Inspector, Street, Sanitation, Sewer, City Engineer, and City Planner. ****

Sanitation Supervisor Hayes stated that there are three new businesses that need 2 yard dumpsters and the city does not have any to provide to them. He asked if there was a way that the council would allow him to purchase five 2 yard dumpster so that he could take care of these three businesses and have two on hand. Councilman Nelson asked how many the city had that were not useful and he was told that all are being used. Mr. Hayes also told the council that the last Saturday dump went well and everyone received a letter telling them that the dumping was being stopped.

Clerk Ramirez reminded everyone that June 17th at 10:00 a.m. at the city yard they city would be holding an auction and it was open to the public.

Engineer Barrett said they are working on having the contractor put up more controls. The sewer study is going and they have run into a few problems but they should be done soon.

8. Reports from Committees.

CIP-Scott Barrett said there were some numbers that he needed to get with Clerk Ramirez on.

Stormwater-Scott Barrett said they will have a meeting the first of July.

Permits-Mike Turman said that the Mayor was the only one that returned it to him with any information. The Mayor said that an item needs to be on the next agenda to raise the permit fees.

9. Questions and comments from Council members.

Councilman Street thanked Mr. Barrett for meeting with himself and others on the silt problem at Twin Lakes.

Councilman Johnson said that he had a complaint about the constant flushing of the water at 47th and State streets and that it was deteriorating the streets and something needed to be done and he had asked for a permanent item to be on the agenda until it gets taken care of. He said the water is impossible to drink. Scott Barrett said that there is a project for OKC sometime in the future that will fix the problem and he would check on it.

Councilman Nelson six people had called him and asked about what they were going to do with the extra trash since there is no more dumping on Saturdays and no big trash pick ups. He said they had a good thing going with the Saturday dumping because the people were willing to bring the trash themselves and dump it. He asked for an item to be on the next agenda on what to do about trash. He also asked for an item on the next agenda concerning the Code Enforcement position.

10. Final Public Hearing and action on rezoning 6103 NW 58th known as Ione Park or YWCA property from R1 to the PUD zoning classification. Owner/applicant: Ione Creek LLC/Patrick Martindale. ****

Planning Commission Chairman Carter read a prepared statement and it is attached and made a part of these minutes. He told the council that this has been a very good project and the Planning Commission gave a unanimous recommendation for approval. City Planner Wiley Rice asked if anyone had any question on what steps will be taken from here on. Councilman Nelson asked if he could give examples of this type zoning from OKC. Mr. Rice said that Quail Springs, Gallardia and the Waterford were all zoned in this manner. He said that it is used when conventional zoning does not fit. This type zoning might be needed in the future for MacArthur. It is very detailed but can be over used. Mr. Martindale, the applicant, said that he appreciated the work of the Planning Commission and especially Chairman Carter for keeping things moving and in order. He also complemented the staff, Wiley Rice, Scott Barrett, Mike Turman and Bob Jernigan, for all their hard work.

Motion by Martinez, second by Olson to close the public hearing. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

Councilman Nelson asked if there were any protest. Inspector Turman stated that all questions from citizens were answered at the Planning Commission meetings. Attorney Jernigan said the council will be approving the design statement and the master plan then he will prepare an ordinance for a future meeting that will formally rezone the area. Planner Rice stated that this is the proper format to approve the zoning and then do an ordinance.

Motion by Martinez, second by Gossman to approve the master plan and design statement and authorize the attorney to write the ordinance. Poll vote: Alexander, yea; Johnson, yea; Nelson, abstain; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed.

11. Final Public Hearing and action on a Day Care Home at 5908 NW 50th Street as a Use Subject to Review in the R1 Single Family District. Owner/applicant: Diann Freeman. (Dead issue applicant withdrew her application.)

Moot.

12. A. Discussion and possible action on an Ordinance regarding the operation of All Terrain Vehicles, Go Carts, Scooters, Mini-bikes on city streets. *Jernigan*

Attorney Jernigan stated that the council had requested this ordinance and he worked with Chief Patty to get the wording. Councilman Nelson stated that he would like for 10.68.040 (A) to include all of the vehicles listed.

Motion by Nelson, second by Martinez to approve the Ordinance as amended. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

This Ordinance is #1019.

- B. Approval of emergency clause.

Motion by Martinez, second by Nelson to approve the emergency clause. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

13. Discussion and possible action on an Ordinance amending Title 2, Chapter 24, Section 250 Jury Trials. *Jernigan* ****

Attorney Jernigan said that the State Legislature passed a law that will go into affect on November 1st and he has set this Ordinance affective for November 1st.

He said that the new law changes the amount that a fine can be from \$200 to \$500 before a jury trial would be required. This allows for stronger fines to be assessed without the requirement for a jury trial. He recommended adoption of this Ordinance.

Motion by Martinez, second by Olson to approve the Ordinance. Poll vote: Alexander, yea; Johnson, yea; Nelson, nay; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed.

14. A. Discussion and possible action on an Ordinance amending Title 3, Chapter 30, Section 010 suspending the 3% for the FY 2006-2007 Budget. *Jernigan*

Attorney Jernigan stated that he was asked by the council to draw up this Ordinance to extend the suspending of the 3% for one more year.

Motion by Nelson, second by Martinez to deny the Ordinance. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

- B. Approval of emergency clause.

Moot.

15. Discussion and possible action on an agreement with Havern, Behrens and Heim to conduct the annual audit of FY2005-2006. ****

Motion by Johnson, second by Alexander to approve the agreement. Poll vote: Alexander, yea; Johnson, yea; Nelson, abstain; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed.

16. Discussion and possible action concerning information from the Pines Neighborhood Association Dam Committee. ****

Lyn Bilodeau, President of the Pines Neighborhood Association, spoke to the council telling them that he had been in contact with Barry Curl and Jeff Martinez concerning the sewer line that is exposed near their dam and repairs that are needed so that they can make repairs to their dam. He said that they must have the dam inspected every three years and they have to remove trees and greenery and he is concerned that the line may be thin and working around it could cause a break. They are asking the city to secure the line and repair it if needed so that they can do the work they need to do on the dam. Scott Barrett is to meet with Mr. Bilodeau and Mike Turman and see what needs to be done.

Item 20 was heard before item 17.

Item 17 was heard after item 18.

17. Discussion and possible action on the WestPark Shopping Center. *Martinez*

Councilman Martinez said that he would like to pull this item for now so that he can get with Bob Jernigan, Councilman Street and Chief Carter.

Item 18 was heard after item 20.

18. Discussion and possible action on a proposal to purchase the property at 5924 NW 49th. *Tardibono* ****

The Mayor said that Mr. Moore had taken her on a tour of the property and she thought it could be used to give city hall more room. Mr. Alan Moore said that he purchased the property and it is a ½ acre and the house is 2500 sq. ft. The Mayor said that there are 4 large bedrooms that would make great offices and an open area that would be great for a training area or conference room. She also said there is a pool out back but she thought it should be filled in and install a splash pad, like what is down in Bricktown, and be used as part of the park. Also it would add parking for the park. Councilman Martinez said that the city did not have the money to purchase this property. Councilman Johnson said that the city already owns a building at 42nd and MacArthur that the Mayor keeps saying is going to be the new city hall. Mayor Tardibono said that this would provide space now. Councilman Martinez said that the city does not have money to make more payments and did not want to waste Mr. Moore's time.

Motion by Martinez, second by Johnson to reject the proposal. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, nay.

Motion Passed.

Item 19 was heard after item 17.

19. Discussion and possible action on approval of merit increases for May pursuant to Title 2, Section 2.36.025, for Bobby Grigsby, Karen Selby and Mark O'Connor. *Tardibono*

The Mayor stated that these increases were budgeted for and they are her recommendation.

Motion by Gossman, second by Martinez to approve the merit increases. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

20. Discussion and possible action concerning contract and negotiations for FY 2006-2007 with FOP Lodge #145 and I.A.F.F. Local #2374 and the City of Warr Acres, including discussion and action on entering into Executive Session as allowed under 25 O.S. Supp. 307 (B) (2), Discussing negotiations concerning employees and representatives of employee groups. *Puckett*

Motion by Johnson, second by Martinez to enter into executive session with Tony Puckett to stay. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

The council entered into executive session at 8:09 p.m.

The council returned to open session at 9:00 p.m. With no action taken.

21. Any Old or New Business (“New Business” is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a (“surprise nature”)).

Moot.

22. Adjournment.

Motion by Martinez, second by Nelson to adjourn. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

The meeting was adjourned at 9:11 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
JUNE 6, 2006
7:00 p.m.**

(Following completion of regularly scheduled City Council meeting)

1. The meeting was called to order at 9:12 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chair Marietta Tardibono
Vice-Chair Jeff Martinez
Trustee Jimmy Alexander
Trustee Walter Johnson
Trustee Mike Gossman
Trustee Rodney Nelson
Trustee Stan Street
Trustee Nancy Olson

ABSENT

Trustee Stewart Shapiro

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of May 2, 2006. ****

Motion by Johnson, second by Olson to approve the minutes. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

3. Approve payment of claim in the amount of \$60,817.59 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of May, 2006. ****

Motion by Johnson, second by Nelson to approve the payment. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

4. Adjournment.

Motion by Martinez, second by Alexander to adjourn. Poll vote: Alexander, yea; Johnson, yea; Nelson, yea; Gossman, yea; Martinez, yea; Street, nay; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

The meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk